DEMONSTRATION OF DISTINCT DIFFERENCES FOR RELIEF TO REJECTIONS BASED ON 35 USC 102

The BACKGROUND OF THE INVENTION in Application/Control Number: 10/798,627 states:

"this invention relates to the concept, its processes, and its methods that permit the activity of combining wireless mobile communication services for the purpose of building more complex and useful wireless mobile communication services." That is, the invention describes how to combine component services to build a wireless mobile communication service.

The first line of the ABSTRACT of Application/Control Number: 10/798,627 summarizes the invention's purpose and goal as:

"Described are the concept, processes, and methods to combine an assortment of individually available and executable wireless mobile communication services for the purpose of achieving a desired objective(s)." This is a reiteration of what the invention's BACKGROUND describes. The claims define a unique and new process for combining component services to build a CWS.

The 35 USC 102 based rejection indicated that my claims were anticipated by Dupray (US Pub 2004/0198386). Dupray's patent "Applications for a wireless location gateway" does not have the same purpose and goal as Application/Control Number: 10/798,627. The first sentence of Dupray's abstract cites "A location system is disclosed for commercial wireless infrastructures." As this sentence suggests, Dupray's invention concerns a system to locate a MS.

Six claims are made in Dupray's patent. Summaries follow:

1. Describes a method for locating a mobile station. It is suggested that one or more of four techniques may be used and the steps of the techniques are indicated.
2. The method of claim 1 is indicated for a single emergency response request.
3. A step is added to the method of claim 1 to output to an emergency response center the mobile station's location, in the event of an emergency response request.
4. Describes a method for locating a mobile station in a manner similar to claim 1. Distinctions between the two methods are mired in obscure details, but obviously irrelevant to my patent application.
5. The method of claim 4 may be used by one or more mobile station location evaluators.
6. The method of claim 4 may be used by a processor that is co-located with the located mobile station to activate at least one of the location estimators.

Nothing within the preceding six claims is related to a process for combining services. The intent of the preceding claims is to describe methods to locate a MS.

According to Dupray his FIELD OF THE INVENTION "is directed generally to a system and method for providing complex network services requiring interactions between various network accessible applications and/or services, in particular where such complex services utilize or require the location of a wireless mobile station. Additionally, the present invention is directed to a

platform for enabling complex services and to identifying such novel services that may be provided by such a platform."

The "system", referred in Dupray's FIELD OF THE INVENTION, "is an end-to-end solution having one or more location centers for outputting requested locations of commercially available handsets or mobile stations (MS) based on, e.g., CDMA, AMPS, NAMPS or TDMA communication standards, for processing both local MS location requests and more global MS location requests via, e.g., Internet communication between a distributed network of location centers." Hence, the "system" represents the resources that execute services. The "system" is not a process to combine services.

The "method", referred in Dupray's FIELD OF THE INVENTION, are those cited within the claims. The Dupray use of "method" has no relationship to my use of "process". I use "process" in terms of a means to build compound (complex) wireless services from component services. Dupray's use of "method" is with respect to determining the location of a MS.

The "enabling complex services", referred in Dupray's FIELD OF THE INVENTION, is used to indicate that having accurate locations of mobile stations will enable services more complex than that of only locating a MS. The "enabling complex services" is not the same as my invention of a means and its mechanisms to build more complex (compound) wireless services, but that accurate MS locations, when used in conjunction with other services, enhance the value of these other services .

I respectfully request the removal of the 35 USC 102 based rejection.